

Below is the Judgment of the Court.



A handwritten signature of Marc Barreca in black ink.

Marc Barreca
U.S. Bankruptcy Court Judge
(Dated as of Entered on Docket date above)

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re,

Elnor T Ball and Lloyd E Ball
Debtors(s)

Elnor T Ball and Lloyd E Ball

Plaintiffs,

v

Webster Bank, N.A.

Defendant.

No. 14-14777-MLB

ADV. No. 14-01271-MLB

DEFAULT JUDGMENT AVOIDING
SECOND-DEED OF TRUST ON
PRIMARY RESIDENCE

THIS MATTER having come before the Judge of the above-entitled Court upon
Plaintiffs' motion for default judgment, and Plaintiff's being represented by Justin Mishkin of
Integrity Law Group, PLLC and being fully advised in the premises and findings:

1-Default Judgment Avoiding Second
Deed of Trust

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Below is the Judgment of the Court.

- 1 1. That the subject property is commonly known as 3728 s 188TH Lane Seatac,
2 WA 98188, Assessor's Property Tax Parcel Number or Account
3 Number(s):023800-0193-01, and legally described as:
4 Lot 2A, Seatac Short Plat No. SPL0006-97, recorded under recording No.
5 1999115900001, records or King County, Washington,
6
- 7 2. That the value of the property is determined to be no greater than \$540,000
- 8 3. Ownit Mortgage Solutions Assigned to Select Portfolio Servicing holds a first
9 deed of trust in the property securing a debt in the amount of \$644,379.43 at the time of filing.
- 10 4. Webster Bank, N.A., holds a second lien (the "Lien") on the property created by
11 a second deed of trust, securing a debt with an approximate payoff balance in the amount of
12 \$250,618.53 at the time of filing, and which deed of trust was recorded under recording number
13 20061212001973 modified on January 22, 2010 and recording number 20100122000009 in
14 records of King County Washington.
- 15
- 16 5. The value of the subject property is below the amount of the total debt owed, and
17 below the debt secured by the first deed of trust, such that there is no equity for the second deed
18 of trust in the property to secure the debt owed under the second deed of trust.

19 Having made the foregoing findings, now, therefore, it is hereby

20 ORDERED, ADJUDGED, AND DECREED that:

- 21
- 22 1. The Defendant has not answered the complaint in the time required and are in
23 default,
 - 24 2. For purposes of the Debtors' chapter 13 plan only, the foregoing described lien
25 under the second deed of trust, King County Recording Number #20061212001973 modified
26 recording number 20100122000009 is valued at zero, the lien holder does not have secured

2-Default Judgment Avoiding Second
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claim's, and the lien's may not be enforced, pursuant to 11 U.S.C. Sections 506, 522(f), 1322(b)(2), and 1327.

3. Upon entry of a discharge in the Debtors' chapter 13 case, the aforementioned lien shall be voided for all purposes, and upon application by the Debtor, the Court will enter an appropriate form of judgment voiding the lien and stripping it from record title.

4. If the Debtors' chapter 13 case is dismissed or converted to one under another chapter before the Debtors obtain a discharge, this order shall cease to be effective and the aforementioned lien shall be retained to the extent recognized by applicable non-bankruptcy law, and upon application by the lien holder, the Court will enter an appropriate form of order restoring said lien.

5. Except as provided by separate, subsequent order of this Court, the aforementioned lien may not be enforced so long as this Order remains in effect.

6. This order shall become part of the Debtors' confirmed chapter 13 plan.

///End of Order///

Presented by:

INTEGRITY LAW GROUP, PLLC
Attorney for Plaintiffs/Debtors

/s/ Justin Mishkin

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